

**MINUTES**  
**COMMITTEE ON ETHICS**  
**TENTH FLOOR CONFERENCE ROOM**  
**TUESDAY, FEBRUARY 14, 1995 -- 11:30 A.M.**

**Meeting was called to order at approximately 11:35 a.m.**

**MEMBERS PRESENT:**

Councilmember Paul F. Novak, Chair  
Councilmember Rick Lilly, Vice-Chair -- excused absence  
Councilmember Howard Jones, Member

**OTHERS PRESENT:**

David Lehmann, Appointee  
Joan Trezise, Appointee  
Harold Leeman, Citizen  
Jim Smiertka, City Attorney  
Tina Gallante, Council Staff

**APPROVAL OF MINUTES**

COUNCILMEMBER JONES MOVED TO APPROVE THE MINUTES OF THE FEBRUARY 7, 1995, MEETING AS SUBMITTED. MOTION CARRIED, 2-0.

**ACTION/DISCUSSION**

**Consideration of David Lehmann and Joan Trezise to the Ethics Board**

Mr. Smiertka first began by reporting on when the new appointments should start. He has ruled that they may commence on July 1. He considered Councilmember Lilly's suggestion on creating a vacancy but he is not comfortably doing it that way. In briefing the Home Rule Cities Liberal Construction law, powers of the City can be construed and using liberal construction he concludes that the terms should start now. It would be ridiculous to say that the Board cannot function

until July, there is no reason to delay it based on liberal construction. The terms should be established and approved all at one time from the date of their appointment.

COUNCILMEMBER JONES MOVED TO APPROVE A COMMITTEE REPORT REVIEWING THE CITY ATTORNEY'S OPINION WITH RESPECT TO THE EFFECTIVE DATE OF THE VOTER-APPROVED CHAMBER AMENDMENT AND WHEN THE TERMS SHOULD BEGIN AND HOW LONG THEY ARE TO SERVE FOR. MOTION CARRIED, 2-0.

Councilmember Novak questioned both appointees on whether anything they have heard or seen regarding the Early Retirement issue or matters concerning the Ethics Board has impaired you to form a certain opinion and why they were interested in serving on the Board. Both Mr. Lehmann and Mrs. Trezise responded no.

Ms. Trezise went on to respond that she has been very concerned with the whole question of ethics and the topic concerns her greatly. She has been serving as an educator for twelve years and feels she could bring that experience to the Board. She did not enter into this appointment lightly and being semi-retired she does have the time to commit to it.

Mr. Lehmann responded that ethics is of key importance to him and he feels with his qualifications he will be an asset to the Board. He knows this will be a big commitment and will be able to handle the time constraint.

Councilmember Jones questioned what role can each serve in order to help make the Board more viable and not just superficial. Mr. Lehmann answered the he has very good solving capabilities as well as common sense. Mr. Trezise stated she is a very critical thinker and puts a lot of meaning into her opinion and suggestions.

COUNCILMEMBER JONES MOVED TO CONFIRM THE APPOINTMENT OF THIRD WARD REPRESENTATIVE, DAVID LEHMANN, TO THE BOARD OF ETHICS FOR A THREE YEAR TERM AND TO CONFIRM THE APPOINTMENT OF FOURTH WARD REPRESENTATIVE, JOAN TREZISE, TO THE BOARD OF ETHICS FOR A TWO YEAR TERM. MOTION CARRIED, 2-0.

All four appointments to be on for this coming Monday evening.

### **Board of Ethics -- Interim Rules of Procedure**

Pending.

**City Attorney's Opinion by Melvin McWilliams Regarding the Definition of Default as Included in the City Charter**

The Committee reviewed the memorandum prepared by Mr. McWilliams reviewing the definition of default included in the City Charter.

Councilmember Novak felt that it would be important to have a resolution requesting that City Clerk Slade provide a copy of this Definition to all candidates at the time they fill out the Affidavit Form so that they will have a better understanding of the issue.

COUNCILMEMBER JONES MOVED TO APPROVE A RESOLUTION DIRECTING THE CITY CLERK TO INCLUDE A COPY OF THE CITY ATTORNEY'S OPINION ON THE DEFINITION OF DEFAULT IN MATERIALS GIVEN TO ANY CITIZEN REQUESTING INFORMATION ABOUT RUNNING FOR CITY OFFICE. MOTION CARRIED, 2-0.

**ADJOURN:**

Meeting was adjourned at 12.15 p.m.

**Respectfully submitted,**

**Tina M. Gallante  
Administrative Secretary**

**Approved by the Committee.**

**Signed by:**

  
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**COUNCILMEMBER PAUL F. NOVAK  
CHAIR**

Appropriate documents attached.